Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Message Text

LIMITED OFFICIAL USE

PAGE 01 PARIS 22274 01 OF 02 201606Z

53
ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 L-03 CAB-09 CIAE-00 COME-00

DODE-00 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 DRC-01

/062 W
---------- 090734
R 201550Z SEP 74
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2502

LIMITED OFFICIAL USE SECTION 01 OF 02 PARIS 22274

E.O. 11652: N/A
TAGS: EAIR, FR
SUBJECT: CIVAIR: WEEKEND ITC'S

REF: STATE 189394

1. SUMMARY: SGAC HAS INFORMALLY INQUIRED RE CAB POSITION ON WEEKEND ITC'S TO US AS AUTHORIZED BY SGAC. AIR FRANCE NOT SURE SUBSTANTIVE WAIVER OF PART 378 REQUIRED. PANAM CONTINUES CLAIM CAB IS OPPOSED WEEKEND ITC'S AND WILL NOT AUTHORIZE. EMBASSY SEES NO LINK BETWEEN FRENCH ITC AND ABC RULES. ACTION REQUESTED: INDICATION CAB VIEW ON WEEKEND ITC'S PERMITTING RESPONSE TO SGAC.
2. SGAC HAS INFORMALLY INQUIRED OF EMBASSY RE CAB POSITION ON WEEKEND ITC'S WHICH SGAC HAS AUTHORIZED ON TRIAL BASIS AND FOR WHICH IT CONTEMPLATES SHORTLY FIXING MINIMUM FARE LEVELS. WE REITERATED REFTEL INFO PREVIOUSLY CONVEYED TO SGAC (AND TO CARRIERS) AND ADDED WE WERE UNINFORMED OF ANY FURTHER DEVELOPMENTS. WE UNDERTOOK QUERY WASHINGTON ANEW FOR SGAC'S BENEFIT.

3. NEITHER AIR FRANCE NOR PANAM PARIS CLAIMS BE INFORMED WHETHER THEIR RESPECTIVE NEW YORK
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 PARIS 22274 01 OF 02 201606Z

OFFICES HAVE FILED APPLICATION FOR PART 378

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

WAIVER WITH CAB. AIR FRANCE REP TOLD US AIR FRANCE HAD BEEN RELUCTANT TO FILE WAIVER APPLICATION IN BELIEF PART 378 DID NOT SO REQUIRE FOR OPERATION OF FRENCH ORIGIN WEEKEND ITC'S TO US AS AUTHORIZED UNDER GOF REGULATION. FILING OF APPLICATION WOULD COMPROMISE AIR FRANCE POSITION ON THIS "FUNDAMENTAL" POINT. AIR FRANCE REP NOTED THAT SINCE IN PART 378 CAB DECLINES EXERCISE JURISDICTION OVER FOREIGN TOUR OPERATORS FOR ITC'S ORIGINATING ABROAD, CARRIER OBLIGATION SEEMED LIMITED TO ADVANCE FILING OF PROSPECTUS, ETC. (PART 378.19) THOUGH AT LEAST WAIVER OF NORMAL FILING PERIOD WOULD SEEM NECESSARY IF AIR FRANCE WERE TO OPERATE WEEKEND ITC'S TO US BEGINNING NOV. 1 AS PLANNED.

4. WE RECALLED THAT RAISING OF QUESTION OF SHORT-DURATION ITC'S BY FRENCH DEL IN LAST JANUARY'S CHARTER TALKS UNDERCUT AIR FRANCE REASONING RE APPLICABILITY OF CAB JURISDICTION. WE ADDED THAT WE FAILED UNDERSTAND WHY AIR FRANCE BLANDLY CONTINUED ACTIVELY MARKET WEEKEND ITC'S WITHOUT FIRST HAVING OBTAINED FULL ASSURANCES PROGRAM WOULD ENCOUNTER NO PROBLEMS WITH CAB. (COMMENT: WE DID NOT TOUCH ON PART CHARTER ASPECT OF AIR FRANCE'S WEEKEND ITC PLANS -- PARIS 21081).

5. PANAM'S PARIS OFFICE ALSO CLAIMS TO BE COMPLETELY CONFUSED ON OUTLOOK FOR WEEKEND ITC'S. SINCE AIR FRANCE CONTINUES TO MARKET WEEKEND ITC'S AND ADVERTISES THEM IN WINTER PROMOTIONAL LITERATURE JUST PUBLISHED (DOUBTLESS LEADING PANAM TO SUSPECT THAT AIR FRANCE MIGHT KNOW SOMETHING PANAM DOESN'T KNOW), PANAM CLAIMS TO BE IN A BIND BECAUSE OF PRESSURE FROM CREDIT AGRICOLE TO FIRM UP TENTATIVE PLANS FOR NEARLY TWENTY SUCH FLIGHTS THIS FALL. PANAM'S NEW YORK HEADQUARTERS HAS ALSO REITERATED TO PARIS OFFICE THAT RECENT SOUNDINGS CONFIRM ITS UNDERSTANDING THAT CAB IS OPPOSED TO WEEKEND ITC'S AND IS NOT READILY DISPOSED TO AUTHORIZE LIMITED OFFICIAL USE

THEM.

6. WE IN TURN WOULD APPRECIATE CLARIFICATION OF REFTEL. PARA 2 REFTEL STATES THAT FRENCH WEEKEND ITC REGULATIONS ARE NOT COMPATIBLE WITH CAB RULES SINCE FRENCH REGS "APPEAR TO BY HYBRID BETWEEN ABC AND ITC RULES." WE FAIL TO FIND ANY ABC CONTENT IN FRENCH ITC REGULATIONS. NOTHING IN

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

SGAC CIRCULAR 3797 (PREVIOUSLY POUCHED DEPT.
AND CAB) PROVIDES FOR ADVANCE BOOKING. INDEED,

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 PARIS 22274 02 OF 02 201604Z

53
ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 L-03 CAB-09 CIAE-00 COME-00

DODE-00 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 DRC-01

/062 W
---------- 090724
R 201550Z SEP 74
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 2503

LIMITED OFFICIAL USE SECTION 02 OF 02 PARIS 22274

LAST PARA OF SECTION I(1.1) OF CIRCULAR 3797
REQUIRES ONLY THAT "TOTAL FARE BE PAID PRIOR
TO DEPARTURE." PASSENGER LIST NEED BE FILED
ONLY FIFTEEN DAYS PRIOR DEPARTURE. IF AIR FRANCE
IS DEMANDING (PARIS 21081) 50 PERCENT DOWNPAYMENT
BY PASSENGER AT TIME OF RESERVATION, THIS REQUIRE-
MENT IS DETERMINED BY CARRIER AND NOT BY SGAC
REGULATION. HENCE, WE FAIL TO SEE WHY WAIVER
REQUIRED FROM TGC/ABC RULES WHICH IS ONE OPTION
MENTIONED IN LAST SENTENCE OF REFTEL.

7. QUITE APART FROM CONTENT OF FRENCH ITC REGULA-
TIONS, THE NEW WEEKEND ITC'S CAN OF COURSE BE
VIEWED AS EXCEPTION TO LONG-TERM ADVANCE BOOKING
REQUIRED UNDER TGC/ABC RULES. WE HAD LONG SUSPECTED
THAT GOF INTEREST IN SHORT-DURATION ITC'S MANIFESTED
LAST JANUARY AND NOW CONFIRMED IN NEW REGULATION
WAS EFFORT TO ESCAPE FROM CORNER INTO WHICH GOF
HAD PAINTED ITSELF BY ABOLISHING AFFINITY RULE.

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

BOTH AIR FRANCE AND PANAM HAD SUCCESSFULLY
OPERATED WEEKEND FLIGHTS TO US UNDER AFFINITY
RULE BUT FOUND THEM UNMARKETABLE WHEN LONG-TERM
ADVANCE BOOKING UNDER ABC RULES WAS REQUIRED.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 PARIS 22274 02 OF 02 201604Z

AIR FRANCE HAS SINCE CONFIRMED TO US THAT IT
WAS PRECISELY FOREGOING WHICH PROMPTED ABRAHAM
TO EXPLORE SHORT-DURATION ITC'S WITH US IN
JANUARY TALKS.

8. WHILE WE UNDERSTAND CAB MAY BE RELUCTANT TO
PRONOUNCE ON FRENCH RULE ON WEEKEND ITC"S UNLESS
AND UNTIL APPROACHED BY CARRIER AS SUGGESTED
REFTEL, SGAC QUERY CONFRONTS US WITH GOF REQUEST
ALBEIT INFORMAL TO WHICH EMBASSY BELIEVES WE
SHOULD BE RESPONSIVE. WE DO NOT KNOW WHAT HAS
MOTIVATED AIR FRANCE AND GOF IN THEIR FAILURE TO
CLARIFY STATUS OF WEEKEND ITC'S WITH CAB BEFORE
THIS LATE DATE. HOWEVER, IF SITUATION IS
PERMITTED TO DRIFT FURTHER WE FEAR WE MAY BE
CONFRONTED WITH A MINOR YET STICKY PROBLEM IN OUR
BILATERAL CIVAIR RELATIONS WHICH WE THINK IT
WOULD BE BETTER TO RESOLVE ONE WAY OR THE OTHER
SOONER RATHER THAN LATER.
9. ACTION REQUESTED: WOULD APPRECIATE EARLY
RESPONSE GIVING CAB VIEWS AND INDICATING SPECIFICALLY
WHETHER WEEKEND ITC'S AS AUTHORIZED BY SGAC
REGULATION CAN BE OPERATED TO US, WHICH WE CAN
DRAW ON FOR RESPONSE TO SGAC.
IRWIN

LIMITED OFFICIAL USE

NNN

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, AVIATION REGULATIONS, SUPPLEMENTAL AIRLINES
Control Number: n/a
Copy: SINGLE
Draft Date: 20 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974PARIS22274
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740264-1175
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740927/aaaaawzq.tel
Line Count: 204
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 189394
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 01 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 MAY 2002 by ifshinsr>; APPROVED <10 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: WEEKEND ITC'S
TAGS: EAIR, FR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005